IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

MISC.CRIMINAL APPLICATION NO.508 OF 2007

IN

CRIMINAL APPLICATION NO.449 OF 2006

IN

CRIMINAL APPEAL NO.1228 OF 2005

Balu Umaji Mane : Applicant.

versus

The State of Maharashtra : Respondent.

Mr.Ratnakumar Sharma for the applicant.

Mr.P.S.Hingorani, APP, for the State.

CORAM : D.G.DESHPANDE

SMT.NISHITA MHATRE, JJ.

DATED : JUNE 25, 2007.

P.C.

1. This is an application filed by the applicant - original accused No.17 for modification of condition imposed upon him. He was released on bail by an order dated 20th September 2007. The condition that was imposed

upon him is that for a period of two years he will not enter the precincts of Raigad District. The advocate for the accused submitted that the accused has followed this order till today. But he has aged mother and minor children. Therefore, this condition should be scrapped out. We are not in agreement with this submission. This condition cannot be scrapped out in its entirety. But it can be modified on a trial basis. Therefore, we modify the said condition and permit that for a period of 15 days in six months the applicant/accused will be permitted to stay at Talghar, Post Verse, Roha, District Raigad. He will mark his presence daily to the concerned police station and the police should keep watch on the activities of the applicant/accused during the said period of 15 days and, if they found anything adverse, to the interest of the parties i.e. the complainant and witnesses, they will immediately report the matter to this Court. In that case, this facility or liberty or concession shall be withdrawn by this Court. This modification is done in the facts peculiar to this application only. The Application is disposed off accordingly.

[SMT.NISHITA MHATRE, J] [D.G.DESHPANDE,J]